

Denmark-Copenhagen: IT services: consulting, software development, Internet and support
OJ S 226/2022 23/11/2022
Contract notice – utilities
Services

Legal Basis:

Directive 2014/25/EU

Section I: Contracting entity

I.1. Name and addresses

Official name: Banedanmark

National registration number: 18632276

Postal address: Carsten Niebuhrs Gade 43

Town: København V

NUTS code: DK0 Danmark

Postal code: 1577

Country: Denmark

Contact person: Thang Minh Le

E-mail: TMLE@BANE.dk

Telephone: +45 23837659

Internet address(es):

Main address: <https://www.bane.dk/>

Address of the buyer profile: <https://eu.eu-supply.com/ctm/Company/CompanyInformation/Index/340853>

I.1. Name and addresses

Official name: Sund og Bælt Holding A/S

National registration number: 15 69 46 88

Postal address: Vester Søgade 10

Town: København V

NUTS code: DK0 Danmark

Postal code: 1601

Country: Denmark

Contact person: Charlotte Yun Linde

E-mail: cyl@sbf.dk

Telephone: +45 41532542

Internet address(es):

Main address: <https://sundogbaelt.dk/>

I.1. Name and addresses

Official name: A/S Storebæltsforbindelsen

National registration number: 10 63 49 70

Postal address: Vester Søgade 10

Town: København V

NUTS code: DK0 Danmark

Postal code: 1601

Country: Denmark

Contact person: Charlotte Yun Linde

E-mail: cyl@sbf.dk

Telephone: +45 41532542

Internet address(es):

Main address: <https://www.storebaelt.dk>

I.1. Name and addresses

Official name: A/S Øresundsforbindelsen

National registration number: 15 80 78 30

Postal address: Vester Søgade 10

Town: København V

NUTS code: DK0 Danmark

Postal code: 1601

Country: Denmark

Contact person: Charlotte Yun Linde

E-mail: cyl@sbf.dk

Telephone: +45 41532542

Internet address(es):

Main address: <https://sundogbaelt.dk/om-os/organisering-og-ledelse/a-s-oresund/>

I.2. Information about joint procurement

The contract involves joint procurement

I.3. Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at: http://eu.eu-supply.com/app/rfq/rwlentrance_s.asp?PID=346824&B=BANEDANMARK

[PID=346824&B=BANEDANMARK](http://eu.eu-supply.com/app/rfq/rwlentrance_s.asp?PID=346824&B=BANEDANMARK)

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: http://eu.eu-supply.com/app/rfq/rwlentrance_s.asp?PID=346824&B=BANEDANMARK

Tenders or requests to participate must be submitted to the abovementioned address

I.6. Main activity

Other activity: Jernbanetransport og infrastrukturforvalter/infrastrukturejer

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

Tender of Contract regarding Support for SHD and PDH infrastructure

Reference number: 2022-5961

II.1.2. Main CPV code

72000000 IT services: consulting, software development, Internet and support

II.1.3. Type of contract

Services

II.1.4. Short description

The tender concerns the remote management of the SDH/PDH infrastructure at Banedanmark. This will include resolution of issues and cooperation with the onsite people for e.g. replacing broken hardware and reconfiguration of the node to restore normal operations. Further it will include configuration changes when required. In addition to these tasks it will be

required to attend quarterly meetings, provide simple reporting and initially a transition to enable the Vendor to provide these ongoing services.

II.1.5. Estimated total value

Value excluding VAT: 12 400 000,00 DKK

II.1.6. Information about lots

This contract is divided into lots: no

II.2. Description

II.2.2. Additional CPV code(s)

72250000 System and support services, 72700000 Computer network services

II.2.3. Place of performance

NUTS code: DK0 Danmark

Main site or place of performance: Danmark

II.2.4. Description of the procurement

I. Background and purpose

Banedanmark has a large network infrastructure which is critical for the railway signalling systems as well as railway related services like traffic information, planning and more. Part of this network includes SDH- and PDH-infrastructure.

The tender concerns the remote management of the SDH/PDH infrastructure at Banedanmark. This will include resolution of issues and cooperation with the onsite people for e.g. replacing broken hardware and reconfiguration of the node to restore normal operations. Further it will include configuration changes when required. In addition to these tasks it will be required to attend quarterly meetings, provide simple reporting and initially a transition to enable the vendor to provide these ongoing services.

II. Current setup:

Banedanmarks SDH- and PDH-infrastructure contains:

- SDH components from Ericsson
- PDH components from Nokia

III. Main services

The contract includes the below main services:

A) Ongoing services

Ad service A):

The vendor must provide the remote management of the SDH/PDH infrastructure at Banedanmark. This will include resolution of issues and cooperation with the onsite people for e.g. replacing broken hardware and reconfiguration of the node to restore normal operations. Further it will include configuration changes when required.

In addition to above Banedanmark will have an option to order consultancy services from the vendor.

For more information, please refer to tender material.

II.2.5. Award criteria

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.6. Estimated value

Value excluding VAT: 12 400 000,00 DKK

II.2.7.

Duration of the contract, framework agreement or dynamic purchasing system

Duration in months: 72

This contract is subject to renewal: yes

Description of renewals:

The Contract can be extended twice with up to 12 month a time however, for at least 6 months.

II.2.9. Information about the limits on the number of candidates to be invited

Envisaged number of candidates: 4 Objective criteria for choosing the limited number of candidates:

Limitation of applicants, whom will be invited to submit their tender, takes place after an assessment of which applicants have documented the most relevant deliveries, cf. item III. 1.3), in relation to the main service, cf. the description in item II.1.4) and II.2.4)

The relevance assessment is made on the basis of the extent to which the references together document experience with the delivery of services that are comparable to the main service.

In the assessment of which applicant have documented the most relevant deliveries,

Banedanmark will award the applicants points on a scale of 1-5 for the main service based on the extent to which the references together document relevant experience in delivering the main service.

II.2.10. Information about variants

Variants will be accepted: no

II.2.11. Information about options

Options: no

II.2.13. Information about European Union funds

The procurement is related to a project and/or programme financed by European Union funds: no

II.2.14. Additional information

Banedanmark will be the contractholder and will thus, in that context, purchase the services under the Contract on behalf of the other Contracting parties (Other parties) specified in item I. 3)

Section III: Legal, economic, financial and technical information

III.1. Conditions for participation

III.1.3. Technical and professional ability

List and brief description of selection criteria:

The applicant must provide ESPD with the following information as preliminary evidence that the tenderer meets the minimum requirements for suitability for technical and professional ability:

A reference list of the 1-3 most significant comparable services, cf. item II.1.4) and II.2.4), which the applicant has carried out during the last 3 years before the application deadline.

Only references that relate to services performed at the time of the application will be given importance when assessing which applicant has documented the most relevant deliveries, cf. item II.2.9), and when assessing whether the minimum requirements for technical and professional capacity is met, see below. If it is an ongoing task, it is therefore only the part of services that have already been carried out at the time of application that will be included in the assessment of the reference.

Each reference should include a brief description of the delivery carried out. The description of the delivery should contain a clear description of which of the services listed under item II.1.4) and II.2.4) the delivery concerned, as well as the applicant's role(s) in the performance of the delivery. Furthermore, the reference must contain the financial value of the delivery (amount), date of delivery and name of the customer (recipient).

When specifying the date of the reference, the tenderer must indicate the date of commencement of the job. Is this not possible, e.g. because the job has been carried out on an ongoing basis in accordance with a framework agreement or contract, the tenderer must indicate how the date is specified.

A maximum of 3 references can be specified, regardless of whether the applicant is a single company, whether the applicant relies on the technical capabilities of other entities, or whether it is a group of companies (e.g., a consortium).

If the applicant relies on the professional experience of other entities regarding the performance of specific parts of the services covered by the contract, cf. item II.2.4), the services under the contract must be performed by the entity which the applicant relies on. The ESPD serves as preliminary evidence of how the applicant fulfills the selection criteria, cf. item II.2.9).

Before the contract award, the tenderer to whom Banedanmark intends to award the contract must provide documentation that the information in the ESPD is correct.

The applicant will not be required to provide additional documentation for technical and professional capacity. However, Banedanmark reserves the right to contact the applicant, or the customer specified in the reference in order to have the information about the reference certified, including the times specified for the reference.

Minimum level(s) of standards possibly required:

- the tenderer shall document as minimum one (1) reference for delivery of support for SDH infrastructure completed within the last three (3) years of the notice of procurement by tender.
 - the tenderer shall document as minimum one (1) reference for delivery of support for PDH infrastructure completed within the last three (3) years of the notice of procurement by tender.
- The tenderer can also deliver references that includes delivery of support for both SDH and PDH infrastructure.

III.1.7. Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them

Financing and payment terms will emerge from the tender material.

It is also referred to electronic invoicing and the possibility if electronic orders in accordance with the legislation No. 798 of June 28 June 2007 om public payments etc. with later changes. The legislation can be downloaded from www.retsinformation.dk

III.1.8. Legal form to be taken by the group of economic operators to whom the contract is to be awarded

No special legal form is required.

If the contract is awarded to an association of economic operators (e.g., consortium), the participants in the association must assume joint and several liability and appoint a joint representative.

III.2. Conditions related to the contract

III.2.2. Contract performance conditions

In the contract, the consideration of social responsibility, as formulated in the convention that underlie the principles of the UN's Global Compact, and as formulated in the OECD's guidelines for Multinational companies, is included to the relevant extent. Contractual

requirements have also been made in accordance with ILO Convention 94 on labor clauses in public contracts and circular no. 9471 of 30 June 2014.

The Contracting Entity has assessed that the conclusion of the contract may be subject to the authorisation re-requirement, cf. The Investment Screening Act. The applicant should clarify whether the applicant's conclusion of the contract will be subject to such requirement. Further details are available at <https://businessindenmark.virk.dk/guidance/erst-activities-covered-by-the-investment-screening-act/Special-financial-agreements/>

See the Instruction for Tender for more details.

Section IV: Procedure

IV.1. Description

IV.1.1. Type of procedure

Negotiated procedure with prior call for competition

IV.1.3. Information about a framework agreement or a dynamic purchasing system

IV.1.8. Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: yes

IV.2. Administrative information

IV.2.1. Previous publication concerning this procedure

Notice number in the OJ S: [2022/S 194-551061](#)

IV.2.2. Time limit for receipt of tenders or requests to participate

Date: 19/12/2022 Local time: 23:59

IV.2.3. Estimated date of dispatch of invitations to tender or to participate to selected candidates

Date: 09/01/2023

IV.2.4. Languages in which tenders or requests to participate may be submitted

English

IV.2.6. Minimum time frame during which the tenderer must maintain the tender

Duration in months: 6 (from the date stated for receipt of tender)

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: no

VI.2. Information about electronic workflows

Electronic invoicing will be accepted

VI.3. Additional information

Participation in the tender can only be done electronically via EU-Supply, cf. the address in I.3). If the application contains several versions of the same document, the latest uploaded version will be the valid one.

All communication in connection with the tender procedure, including questions and answers, must take place via EU-Supply. Banedanmark ("BDK") would like questions regarding the prequalification to be asked no later than 01.12.22

As part of their application, the applicant must submit an ESPD as preliminary proof of the requirement in §148(1) of the Tender Act, no.1-3, cf. implementation statutory declaration §11. The ESPD is available via EU-Supply. It is not necessary for the Applicant to sign the ESPD document. In the case of a group of operators (e.g. a consortium), a separate ESPD must be submitted for each of the participating economic operators. If the Applicant is an association each participant's ESPD document must be signed by the participant in question. It is not necessary for the lead Applicant submitting the application to sign the ESPD document. If the applicant relies on the capabilities of other entities, an ESPD must be submitted for each of the entities on which this is based, and the ESPD document must be signed by the support entity.

In this tender, the Applicant can rely on the technical capacity of other entities to meet the suitability requirements listed in III.1.3), incl. for use in selection, cf. II.2.9). The entities who make their technical capacity available to the Applicant must sign a declaration of support, see details in the instruction to tender. The template appears as an appendix to the instruction to tender.

The Applicant must also submit a declaration of support in which the entity or entities on which the Applicant relies declares to be jointly and severally liable with the Applicant, should the latter be awarded the contract. The template appears as an appendix to the instruction for tender.

The Applicant will be excluded from participating in the tender procedure if the Applicant is covered by the mandatory grounds for exclusion mentioned in §§134a, 135 and 136 of the Public Procurement Act, cf. § 10(1) no.1, Implementation statutory declaration, unless the Applicant has presented sufficient documentation that it is reliable in accordance with §138 of the Public Procurement Act, cf. §10(1) no.2.

Before the award decision, the tenderer to whom BDK intends to award the contract must provide documentation for the information submitted in the ESPD in accordance with §§151 and 152(3) of the Public Procurement Act, cf. Implementation statutory declaration §11.

In the event of changes to the tenderer's composition, the rules in §147 of the Public Procurement Act apply in their entirety.

More information:

In relation to II.1.5) and II.2.6), note that the amount constitutes an estimate of the expected contract sum for the full term of the contract, incl. the price for all options. The estimate is based on historical consumption as well as the expected consumption under the upcoming contract.

In relation to II.2.7) note that the stated duration is from the Transition Day. In addition to the stated duration, in connection with the termination of the contract, there will be a need for a time-flexible expiration phase in order to ensure undisturbed operation of the service in connection with any re-tendering.

In relation to II.2.9) note that the Applicant can only submit 1 application for the prequalification. The tender is carried out with reservation to obtain the necessary authorization.

For information on the negotiation process, please refer to the instruction of tender and the associated Appendix E.

BDK does not pay participation fees.

BDK reserves the right to award the contract on the basis of the initial offer.

VI.4. Procedures for review

VI.4.1. Review body

Official name: Klagenævnet for Udbud

Postal address: Nævnenes Hus, Toldboden 2

Town: Viborg
Postal code: 8800
Country: Denmark
E-mail: klfu@naevneneshus.dk
Telephone: +45 72405600
Internet address: <https://erhvervsstyrelsen.dk/klagevejledning-0>

VI.4.3. Review procedure

Precise information on deadline(s) for review procedures:

Pursuant to the Danish Act on the Complaints Board for Public Procurement, etc. (lov om Klagenævnet for Udbud m.v.) (the Act is available (in Danish) at www.retsinformation.dk), the following deadlines apply to the lodging of complaints:

Complaints for not having been selected must be submitted to the Danish Complaints Board for Public Procurement before the expiry of 20 calendar days, see section 7(1) of the Act, from the day after submission of notification to the candidates concerned of the identity of the successful tenderer where the notification is accompanied by an explanation of the grounds for the decision in accordance with section 2(1), para (1) of the Act.

In other situations, complaints of award procedures, see section 7(2) of the Act, must be lodged with the Danish Complaints Board for Public Procurement before the expiry of:

1) 45 calendar days after the contracting entity has published a notice in the Official Journal of the Euro-pean Union that the contracting entity has entered into a contract. The deadline is calculated from the day after the day when the notice was published.

2) 30 calendar days calculated from the day after the day when the contracting entity has notified the candidates concerned that a contract based on a framework agreement with reopening of competition, or a dynamic purchasing system has been entered into where the notification has included an explanation of the relevant grounds for the decision.

3) 6 months after the contracting entity entered into a framework agreement calculated from the day after the day when the contracting entity notified the candidates and tenderers concerned, see section 2(2) of the Act.

Not later than at the time of lodging a complaint with the Danish Complaints Board for Public Procurement, the complainant must notify the contracting entity in writing that a complaint has been lodged with the Danish Complaints Board for Public Procurement and whether the appeal was lodged during the stand-still period, see section 6(4) of the Act. In cases where the complaint was not lodged within the standstill period, the complainant must furthermore indicate whether a suspensory effect of the complaint has been requested, see section 12(1) of the Act.

The e-mail address of the Complaints Board for Public Procurement is set out in section VI.4.1).

The Complaints Board's own complaints procedure is available at <https://naevneneshus.dk/start-din-klage/klagenaevnet-for-udbud/vejledning/>

VI.4.4. Service from which information about the review procedure may be obtained

Official name: Konkurrence- og Forbrugerstyrelsen

Postal address: Carl Jacobsens Vej 35

Town: Valby

Postal code: 2500

Country: Denmark

E-mail: kfst@kfst.dk

Telephone: +45 41715000

Internet address: <http://www.kfst.dk>

VI.5. Date of dispatch of this notice

18/11/2022